

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

AL MALIK ALSHAHHI, et al.

Defendants.

Case No.: 1:21-cr-00371-BMC-TAM

**DEFENDANT THOMAS J. BARRACK, JR.'S**  
**RENEWED MOTION TO DISMISS**

On January 31, 2022, the defendant Thomas J. Barrack, Jr., moved to dismiss the indictment against him. *See* ECF No. 67 (motion to dismiss); *see also* ECF No. 80 (government's opposition to motion to dismiss); ECF No. 83 (reply in support of motion to dismiss); ECF No. 94 (notice of supplemental authority). On May 16, 2022, the government filed a superseding indictment in this case. *See* ECF No. 105.

On May 24, 2022, this Court held a status conference. During that conference, Mr. Barrack's counsel informed the Court that Mr. Barrack intended to renew his previously-filed motion to dismiss in view of the government's superseding indictment. Because the superseding indictment suffers from the same flaws as the original indictment, Mr. Barrack hereby renews his prior motion to dismiss all counts of the superseding indictment against him.

Dated: New York, New York  
May 25, 2022

Respectfully submitted,

O'MELVENY & MYERS LLP

/s/ Daniel M. Petrocelli

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